

570 *The Northern Pacific Railway Co. et al.*

which exhibits I transmit to the Clerk of the Circuit Court of Appeals for the Ninth Circuit, at San Francisco, California, pursuant to the order of Court of date October 27, 1910, so to do.

I further certify that the cost of preparing this certificate amounts to the sum of Seventy Cents, which sum I have received from the defendant and appellant, The Northern Pacific Railway Company.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Circuit Court, at the City of Spokane, in the Eastern District of Washington, in the Ninth Circuit, the 10th day of November, A. D. 1910, and the Independence of the United States of America the One Hundred and Thirty-fifth.

[Seal]

FRANK C. NASH,
Clerk, U. S. Circuit Court for the Eastern District
of Washington.

[Endorsed]: No. 1916. United States Circuit
Court of Appeals for the Ninth Circuit. Filed Nov.
18, 1910. F. D. Monckton, Clerk.



No. 1918

UNITED STATES CIRCUIT COURT OF APPEALS

FOR THE NINTH CIRCUIT

TRANSCRIPT OF RECORD.

(IN THREE VOLUMES.)

NORTHERN PACIFIC RAILWAY COMPANY,
vs. MERCANTILE TRUST COMPANY, HENRY
BEACHEL and FLOREN BEACHEL, Hs. Wm.
MINORS BADLEY and FLORENCE C. EADLEY,
vs. Wm. O. D. WISE and ——— WISE, Hs. Wm.
R. D. McCULLY.

Appellants

vs.

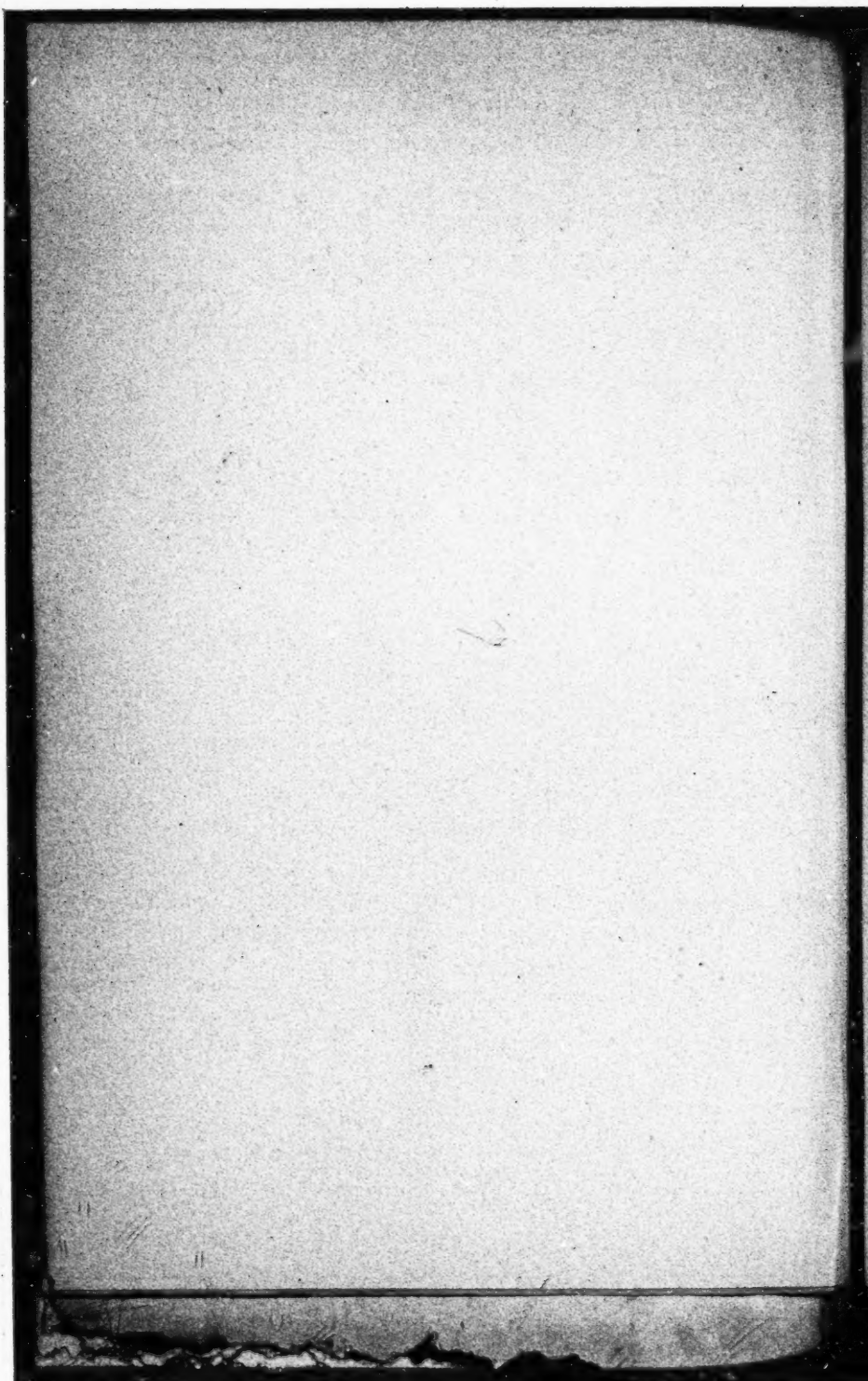
UNITED STATES OF AMERICA.

Appellee.

VOL. III. (Pages 527 to 527, inclusive.)

EXHIBITS.

Appeal from the United States Circuit Court
in the Eastern District of Washington,
Eastern Division.



No. 1916

UNITED STATES CIRCUIT COURT OF APPEALS
FOR THE NINTH CIRCUIT.

TRANSCRIPT OF RECORD.
(IN THREE VOLUMES.)

THE NORTHERN PACIFIC RAILWAY COMPANY,
THE MERCANTILE TRUST COMPANY, HENRY
YEACKEL and FLORA YEACKEL, His Wife,
WILBUR S. BADLEY and FLORENCE C. BADLEY,
His Wife, C. D. WISE and ——— WISE, His Wife,
and R. D. McCULLY,

Appellants,

vs.

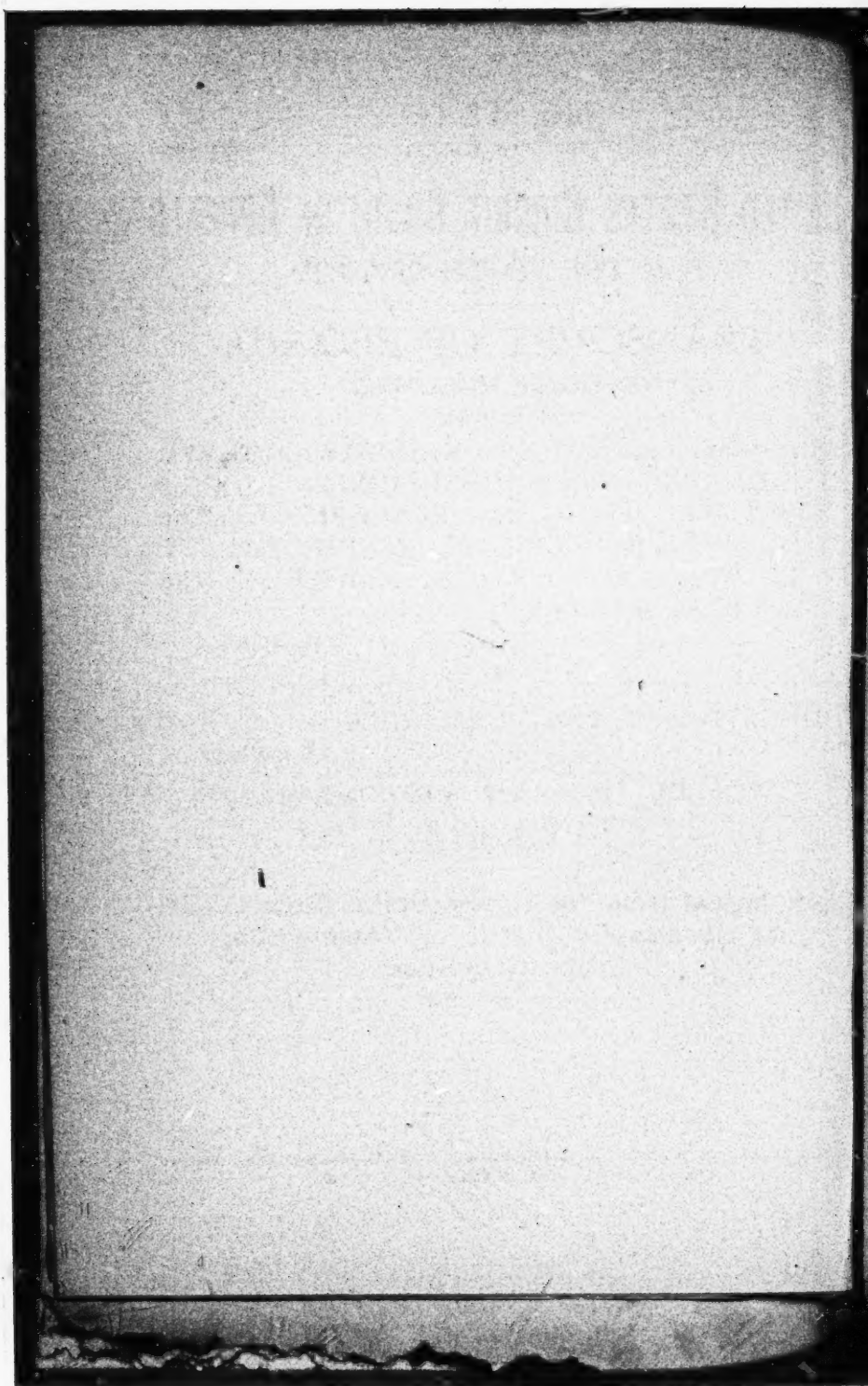
THE UNITED STATES OF AMERICA,

Appellee.

VOL. III. (Pages 567 to 627, Inclusive.)

EXHIBITS.

Upon Appeal from the United States Circuit Court
for the Eastern District of Washington,
Eastern Division.



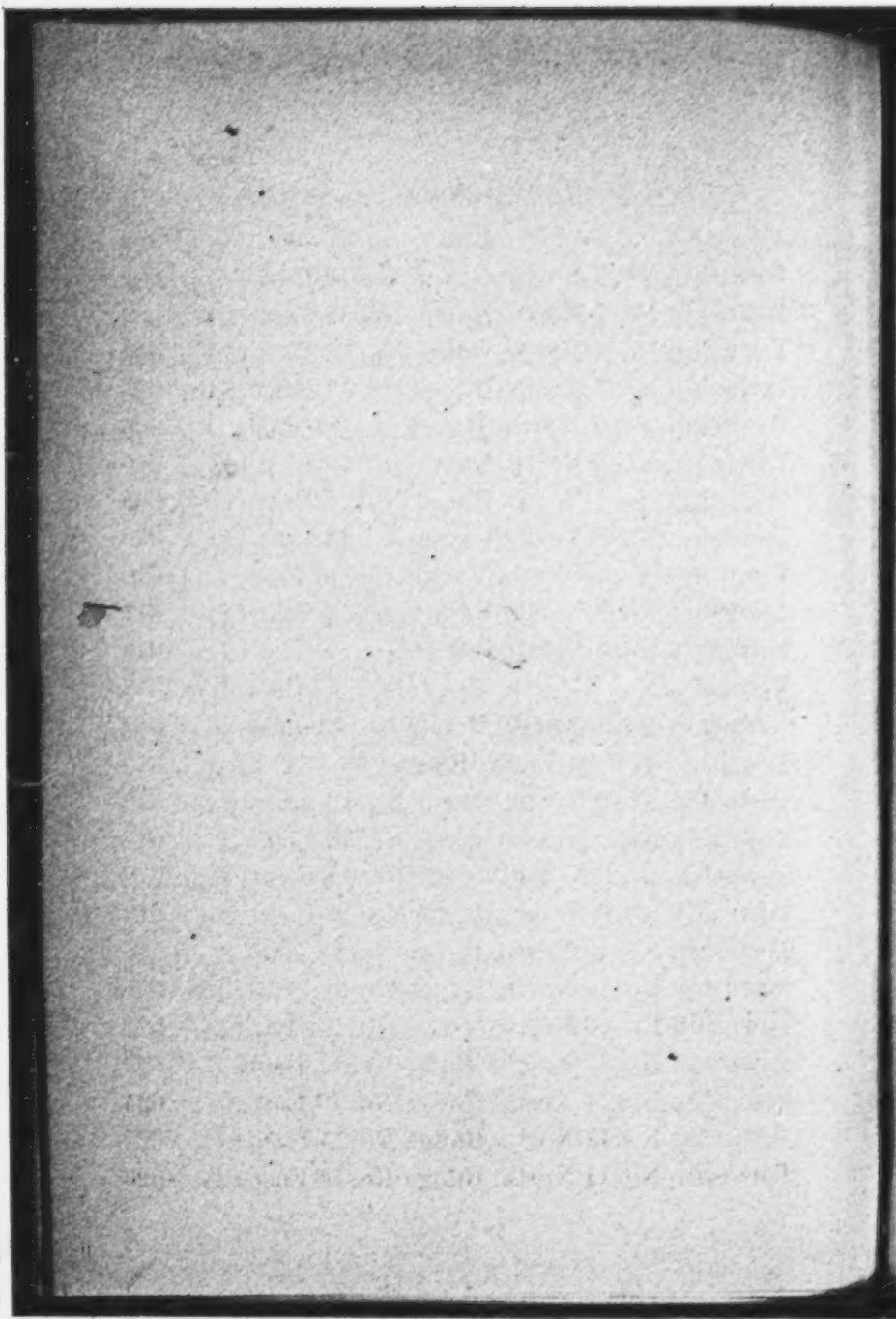
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*In the Circuit Court of the United States for the
Eastern District of Washington, Eastern Di-
vision.*

No. 1260.

UNITED STATES OF AMERICA,

Complainant,

vs.

NORTHERN PACIFIC RAILWAY COMPANY

(a Corporation), et al.,

Defendants.

**Certificate [of Clerk U. S. Circuit Court to Original
Exhibits].**

United States of America,
Eastern District of Washington,—ss.

I, Frank C. Nash, Clerk of the Circuit Court of the United States for the Eastern District of Washington, do hereby certify that the above and foregoing exhibits, namely:

Complainant's Exhibit 1, being the Barnard map which was attached to Barnard Deposition;

Complainant's Exhibit 2, being the Mount Adams Quadrangle;

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Complainant's Exhibit 3, being document 621, small White Swan Map and Barnard Map, said exhibits being attached to the Barnard Deposition;

Complainant's Exhibit 4, being the Berry & Lodge Survey;

Complainant's Exhibit 5, being the *Lis Pendens*;

Complainant's Exhibit 6, being the Isaac I. Stevens Map, dated April 30, 1857;

Complainant's Exhibit 6, being small White Swan Map;

Complainant's Exhibit 8, being letter of W. W. Miller, of September 10, 1861;

Complainant's Exhibit 9, being letter of R. H. Milroy, of June 11, 1873;

Complainant's Exhibit 10, being agreement of September 19th, 1861;

Defendants' Exhibit "A," being letter of T. H. Cavanaugh, of June 20, 1890;

Defendants' Exhibit "B," being full notes of Schwartz Survey from the forty-seventh mile-post;

Defendants' Exhibit "C," being map of the Schwartz survey, together with original documents attached to Exhibit "C," namely, letter of May 9, 1890, from R. V. Belt, letter of May 13, 1890, from

John W. Noble, and letter of May 20, 1890, from Louis H. Grath;

Defendants' Exhibit "D," being map of the State of Washington;

Defendants' Exhibit "E," being letter of May 9, 1890, from R. V. Belt;

Defendants' Exhibit "F," being letter from Thomas Priestly, dated December 3, 1889;

Defendants' Exhibit "G," being letter from Thomas Priestly, dated March 22, 1890;

Defendants' Exhibit "H," being report of Jacob E. Noel, dated August 15, 1891;

Defendants' Exhibit "I," being letter of T. H. Carter, dated October 21, 1891;

Defendants' Exhibit "K," being book of township plats;

Defendants' Exhibit "L," being letter from M. C. McFarland, of February 28, 1884.

That the above and enumerated Exhibits constitute and are all the original exhibits on file in the above-entitled case and court, except Complainant's Exhibit "7," being letter from Isaac I. Stevens, dated April 30th, 1857, which exhibit, after a diligent search, I have been unable to find in my office, and

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which exhibits I transmit to the Clerk of the Circuit Court of Appeals for the Ninth Circuit, at San Francisco, California, pursuant to the order of Court of date October 27, 1910, so to do.

I further certify that the cost of preparing this certificate amounts to the sum of Seventy Cents, which sum I have received from the defendant and appellant, The Northern Pacific Railway Company.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Circuit Court, at the City of Spokane, in the Eastern District of Washington, in the Ninth Circuit, the 10th day of November, A. D. 1910, and the Independence of the United States of America the One Hundred and Thirty-fifth.

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